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M. E.
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B Ross

37 CFR 1.116 Amendment
Please Expedite

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of **D'Achard van Enschut**
Serial No.: **09/022,132**
Filed: **11-Feb-1998**
Atty. Docket No.: **PHN 16-219 A**
Group Art Unit: **3714**
Examiner: **White, C.**
Title: **METHOD FOR OPERATING A VIDEO GAME WITH BACKFEEDING A VIDEO IMAGE OF A PLAYER, AND A VIDEO GAME ARRANGED FOR PRACTISING THE METHOD**

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Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Amendment/Reply After Final Office Action

Sir:

In response to the final Office action of 20 August 2003, please reconsider the application in light of the following remarks.

REMARKS

Claims 1-4 and 6-14 are pending in this application.

The Office action includes a rejection of claims 1-4 and 6-14 under 35 U.S.C. 112, first paragraph, as failing to comply with the enablement requirement. The applicant respectfully traverses this rejection.

MPEP 2164.01 states: "even though the statute does not use the term "undue experimentation," it has been interpreted to require that the claimed invention be enabled so that any person skilled in the art can make and use the invention without undue experimentation. *In re Wands*, 858 F.2d at 737, 8 USPQ2d at 1404 (Fed. Cir. 1988). See also *United States v. Telectronics, Inc.*, 857 F.2d 778, 785, 8 USPQ2d 1217, 1223 (Fed. Cir. 1988) ("The ***test of enablement*** is whether one reasonably skilled in the art could ***make or use the invention*** from the disclosures in the patent coupled with information known in the art ***without undue experimentation***."). ***A patent need not teach, and***